

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Shania Roach	Team: Team # 1	CCRB Case #: 201401752	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 02/19/2014 10:50 AM	Location of Incident: West 117th Street and St. Nicholas Avenue	Precinct: 28	18 Mo. SOL 8/19/2015	EO SOL 8/19/2015	
Date/Time CV Reported Mon, 02/24/2014 10:08 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 02/24/2014 10:08 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Raymond Low	4743	936985	NARCBMN
2. DT3 Raymond Abreu	06060	927825	NARCBMN
3. SGT Darrien King	02617	936870	NARCBMN
4. POF Amanda Lopez	00549	944742	NARCBMN
5. Officers			NARCBMN

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DT3 Sai Bharadwaj	03915	939918	NARCBMN
2. POM Thomas Moroney	16766	944831	NARCBMN
3. POM Hector Lopez	10446	935204	NARCBMN

Officer(s)	Allegation	Investigator Recommendation
A.SGT Darrien King	Force: Sgt. Darrien King pointed his gun at § 87(2)(b) and an individual.	
B.DT3 Raymond Abreu	Force: Det. Raymond Abreu pointed his gun at § 87(2)(b) and an individual.	
C.DT3 Raymond Low	Force: Det. Raymond Low used physical force against § 87(2)(b)	
D. Officers	Force: Officers used physical force against § 87(2)(b)	
E.SGT Darrien King	Abuse: Sgt. Darrien King authorized the strip-search of § 87(2)(b)	
§ 87(4-b), § 87(2)(g)		
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Case Summary

On February 19, 2014, at approximately 10:50 a.m., Sgt. Darrien King, Det. Raymond Abreu, and Det. Raymond Low of Narcotics Borough Manhattan North stopped § 87(2)(b) on West 114th Street and St. Nicholas Avenue in Manhattan, for selling narcotics to an undercover officer. During § 87(2)(b)'s interaction with the officers, § 87(2)(b) alleged that Sgt. King and Det. Abreu approached him with their guns pointed at him (**Allegation A and B**). § 87(2)(b) also alleged that during his apprehension Det. Low slammed his head onto the hood of a police vehicle (**Allegation C**), and several officers allegedly punched him and stepped on the side of his head (**Allegation D**). Once § 87(2)(b) was taken to the stationhouse, he was strip searched by PO Thomas Moroney and PO Hector Lopez under Sgt. King's authorization (**Allegation E**). § 87(4-b), § 87(2)(g)

Mediation, Civil and Criminal Histories

As of June 23, 2014, § 87(2)(b) has not filed a notice of claim regarding the incident (encl. F1). This case was ineligible for mediation because § 87(2)(b) was arrested § 87(2)(b)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) (encl. A11).
- Sgt. King has been a member of the NYPD for nine years and has had 5 previous CCRB allegations which were all exonerated. § 87(2)(g)
- Det. Raymond Low has been a member of the NYPD for nine years and has had two previous CCRB allegations involving two cases with no substantiated allegations. § 87(2)(g)
- Det. Amanda Lopez has been a member of the NYPD for seven years and has one current CCRB allegation involving one case with no substantiated allegations. § 87(2)(g)
- Det. Abreu has been a member of the NYPD for 13 years and has had seven previous CCRB allegations involving three cases with one substantiated allegation. § 87(2)(g)
 - In CCRB case # 200601591 a strip search allegation was substantiated against Det. Abreu. The board recommended charges and the NYPD issued a command discipline.

Finding and Recommendations

Explanation of Subject Officer Identification

§ 87(2)(b) could not provide a description of the officers that punched him on the right side of his ribs or the officer that stomped on his head. When § 87(2)(b) was punched in the side, he was surrounded by Det. Low and other officers but did not see which officer punched him because his head was down on the hood of the vehicle. § 87(2)(g)

Allegations Not Pleaded

- **Stop:** According to the officer's testimony and the Buy Report/Complaint Follow-Up Informational prepared by UC #§ 87(2)(b) § 87(2)(b) sold three zip lock bags of crack to the undercover officer for \$30.00 inside of 273 West 114th Street (encl. E 1-2).

Allegation A- Sgt. Darrien King pointed his gun at § 87(2)(b) and an individual.

Allegation B- Det. Raymond Abreu pointed his gun at § 87(2)(b) and an individual.

§ 87(2)(b) alleged that as he walked eastbound on West 114th Street with his friends Sgt. King and Det. Abreu emerged from a silver minivan with their guns pointed at § 87(2)(b) and the individual (C 2-3). Statements could not be obtained from § 87(2)(b) and the unidentified individual (encl. C7). Sgt. King and Det. Abreu denied pointing their guns at anyone during the incident and none of the other officers saw them do so (D 1-41).

§ 87(2)(g)

Allegation C- Det. Raymond Low used physical force against § 87(2)(b)

§ 87(2)(b) alleged that after he was handcuffed, Det. Low grabbed the back of his neck and slammed his head into the hood of a vehicle (C 2-3). Det. Low stated that § 87(2)(b) resisted arrest by flailing his arms and pushing the officers. Det. Low placed § 87(2)(b) face down on the hood of a parked car in an attempt to handcuff § 87(2)(b) but he did not slam § 87(2)(b)'s head into the hood of a vehicle (D 41). None of the other officers at the scene observed Det. Low slam § 87(2)(b)'s head on the hood of the vehicle (D 1-37).

§ 87(2)(g)

Allegation D- Officers used physical force against § 87(2)(b)

§ 87(2)(b) alleged that after he was handcuffed, he felt an officer punch him on the right side of his ribs six times as the officer yelled, "Stop resisting." § 87(2)(b) also alleged that as Det. Low and another officer escorted him across the street, § 87(2)(b) fell to the ground and when he did an officer stomped on his head. § 87(2)(b) could not provide a description of the subject officer of these allegations because he could not see which officers performed the acts (C 2-3). All of the officers who testified that they helped to apprehend § 87(2)(b) Det. Low, Sgt. King, Det. Abreu, and PO Amanda Lopez, denied punching § 87(2)(b) and denied stepping on his head. All of the other officers at the location denied the allegations and did not see any officer perform these acts (D 1-41).

§ 87(2)(g)

Allegation E- Sgt. Darrien King authorized the strip search of § 87(2)(b)

It is undisputed that § 87(2)(b) was strip searched. Sgt. King authorized the strip search after learning from the undercover officer that § 87(2)(b) removed the drugs from his groin area during the transaction. PO Hector Lopez and PO Thomas Moroney's statements corroborate § 87(2)(b)'s testimony that he was strip searched in a private room at the 25th Precinct hub after he was arrested.

“A strip search may only be conducted when the arresting officer reasonably suspects that weapons, contraband or evidence may be concealed upon the person or in the clothing in such a manner that they may not be discovered by the previous search methods. NYPD Patrol Guide Procedure 212-05 (encl. A 1-3).

§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

